

BRUCE A. BLAKEMAN
County Executive



THOMAS A. ADAMS
County Attorney

COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY

April 6, 2022

Via ECF

Hon. James M. Wicks
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Galloway v. Nassau County, et al.
CV-19-5026 (AMD) (JMW)

Dear Judge Wicks:

This letter is written on behalf of defendants Nassau County, Nassau County Police Department, Detective Matthew Ross, Detective Charles Decaro, Detective Ronald Lipson, Detective Thomas D'Luginski, Detective George Darienzo, Detective Sergeant Richard Dorsi, Detective Rene B. Yao, and Detective Carl Strange (hereinafter collectively referred to as the "County Defendants") to request a 2-week adjournment of the status conference scheduled for April 8, 2022. (*See* 3/8/22 Electronic Scheduling Order).

The conference was previously scheduled to take place on March 14th. In light of District Judge Donnelly's ruling disqualifying counsel for the County Defendants (DE 154), this court rescheduled the matter for this week specifically "to allow [County] Defendants to retain substitute counsel."

As the Court is well aware, the municipality has a process for selecting outside counsel. That process involves the issuance of a request for proposals from an approved panel. This past Monday, April 4th, was the deadline for submission of bids which are then evaluated by a committee. The undersigned has been in communication with the selection committee to ascertain a status. It is anticipated that substitute counsel may be selected by next week and would be able to notice their appearance once a contract is signed.

Accordingly, I requested that counsel for the other parties' consent to a 2-week adjournment of this week's conference to enable incoming counsel to notice their appearance. Co-defendants' counsel has given his consent. Plaintiff's attorney responded "Plaintiff does not consent to the request because the County defendants have been aware since October 2021 that they would likely need to replace their attorneys in this case, but appear to have only recently begun that process. Mr. Galloway did not cause or contribute to the disqualifying conflict and his important wrongful conviction claims should not be further delayed by virtue of it."

Notwithstanding Mr. Harvis' objection, incoming counsel will need to evaluate the file and determine what discovery, etc. they require to defend this action. Also, the incoming firm should be the ones to discuss scheduling matters in accordance with their calendars.

For the reasons set forth herein, it is, therefore, respectfully requested that the April 8, 2022 Status Conference be adjourned at least two weeks.

Thank you for your consideration.

Respectfully submitted,

Liora M. Ben-Sorek
Liora M. Ben-Sorek
Deputy County Attorney

cc: Gabriel P. Harvis, Esq. (Via ECF)
Baree N. Fett, Esq. (Via ECF)
William J. Garry, Esq. (Via ECF)